

## Washoe County Appeal of Decision to Board of County Commissioners

Your entire application is a public record. If you have a concern about releasing personal information please contact Planning and Building staff at 775.328.6100.

<b>Appeal of Decision by (Check one)</b>	
<b>Note:</b> Appeals to the Washoe County Board of County Commissioners are governed by WCC Section 110.912.20.	
<input type="checkbox"/> Planning Commission	<input checked="" type="checkbox"/> Board of Adjustment
<input type="checkbox"/> Hearing Examiner	<input type="checkbox"/> Other Deciding Body (specify) _____
<b>Appeal Date Information</b>	
<b>Note:</b> This appeal must be delivered in writing to the offices of the Planning and Building Division (address is on the cover sheet) within 10 calendar days from the date that the decision being appealed is filed with the Commission or Board Secretary (or Director) and mailed to the original applicant.	
<b>Note:</b> The appeal must be accompanied by the appropriate appeal fee (see attached Master Fee Schedule).	
Date of this appeal: <u>27 October 2017</u>	
Date of action by County: <u>Decision date: 5 October 2017</u>	
Date Decision filed with Secretary: <u>Amended Action Order filed October 18, 2017</u>	
<b>Appellant Information</b>	
Name: Richard Stone	Phone: (775)849-7935
Address: 4765 Giles Way	Fax:
	Email: KD6BQ@att.net
City: Washoe Valley      State: NV      Zip: 89704	Cell:
Describe your basis as a person aggrieved by the decision: Property owner, applicant, and radio amateur.	
<b>Appealed Decision Information</b>	
Application Number: WBLD17-101171	
Project Name: Amateur Radio antenna retractable to less than 45 feet high.	
State the specific action(s) and related finding(s) you are appealing:  This is an appeal of the Action Order prohibiting the issuance of a building permit as proposed, finding that a building permit should not be granted for an antenna less than 45 feet tall in its retracted mode.	

**Appealed Decision Information (continued)**

Describe why the decision should or should not have been made:

See below, at bottom of page.

Cite the specific outcome you are requesting with this appeal:

Pursuant to § 110.912.20(b)(6)(iv), directly grant the building permit as proposed, in accordance with § 110.324.20(a), as the retractable height of the private communication antenna will not exceed 45 feet.

Did you speak at the public hearing when this item was considered?

Yes  
 No

Did you submit written comments prior to the action on the item being appealed?

Yes  
 No

**Appellant Signature**

Printed Name: Richard Stone

Signature:

Date: 27 October 2017

Why the decision should not have been made:

The Staff Report to the Board of Adjustment stated: "It is possible that Washoe County may have approved retractable antennas that extend beyond 45 feet tall without an administrative permit in the past; however, staff was unable to find any such recent permits." THREE such permits are attached, all granted since the creation of § 110.324.20. Those three permits conform to the requirements of NRS 278.02085.2(b) and 47 CFR § 97.15(b), and prove that there is a "minimum level of regulation practicable" that is less burdensome than requiring an Administrative Permit pursuant to Article 808. While staff may feel a need to balance the interests of the county with those of the radio amateur, federal law holds: "it is clear that a "balancing of interests" approach is not appropriate in this context." Source: <http://www.fcc.gov/Bureaus/Wireless/Orders/1999/da992569.txt>



(775) 328-2020  
(775) 328-6132 FAX

# WASHOE COUNTY

## Department of Building & Safety

"Dedicated to Excellence in Public Service"

### BUILDING PERMIT

INSPECTION LINE (775) 325-8000

[www.washoecounty.us/building](http://www.washoecounty.us/building)



1001 E. Ninth Street  
P.O. Box 11130  
Reno, NV 8950-0027

Address: 0 TAOS LN WCTY  
Location:  
Parcel No: 142-260-18

Permit No: 15-0512  
Type: BLD-RES  
Category: RSAD

Applied: 02/27/2015  
Issued: 03/19/2015  
Status: ISSUED  
Expire: 09/17/2016  
Renewed:

Zoning:

Area: C  
Sewer:  
Water:

Occupancy:  
Census:  
# Units: 1  
# Bldgs: 1

Use Code:  
Variance No:  
Special Use No:  
Major Project:

OWNER STOLER FAMILY TRUST  
STOLER TTEE, IRA P  
STOLER TTEE, TOBY R  
1700 TAOS LN 89511-6666

Phone: 775-852-2314

CONTRACTOR Phone:

License:

CONTACT IRA STOLER Phone: 775-852-2314

\*\*\*\*\*  
Permit Description:

INSTALLATION OF 2 PRIVATE COMMUNICATION ANTENNAS AT 25 FEET HIGH **RETRACTED** FOR OWNERS SOLE USE / ELECTRICAL SUPPLY / 6 FOOT CHAIN LINK FENCE SURROUNDING ANTENNAS FOR SECURITY

VALUATION: \$3,000.00  
Occupancy Type Factor Sq Feet Valuation  
Totals... \$3,000.00\*

<b>FEES:</b>	Building Fee:	\$113.28	Plan Check Fee:	\$56.64	TOTAL FEES:	\$169.92
	Electrical Fee:	\$0.00	Park Tax Fee:	\$0.00	Payments:	\$169.92
	Plumbing Fee:	\$0.00	Violation Fee:	\$0.00	BALANCE DUE:	\$0.00
	Mechanical Fee:	\$0.00	Renewal Fee:	\$0.00	VALIDATED BY:	KP
	Reinspections:	\$0.00	Road Impact Fee:	\$0.00	ISSUED BY:	KP

Signature:

Permission is hereby granted to do the work for the building described in this application, in accordance with the Rules, Regulations and Ordinances of the County of Washoe, along with the plans and specifications filed herewith.

IMPORTANT TIME DEADLINES: (initial)

I UNDERSTAND THAT FINAL INSPECTION OR RENEWAL OF THIS PERMIT MUST BE MADE PRIOR TO THE EXPIRATION DATE OR NEW PLANS MUST BE SUBMITTED AND PERMIT FEES PAID PRIOR TO FINAL INSPECTION. PERMITS EXPIRE 18 MONTHS FROM THE DATE OF ISSUE, WITH NO GRACE PERIOD. IF THE DATE OF EXPIRATION FALLS ON A WEEKEND OR HOLIDAY, THE PERMIT MUST BE RENEWED ON THE LAST BUSINESS DAY PRIOR TO THE EXPIRATION. I UNDERSTAND THIS IS THE ONLY NOTICE I WILL RECEIVE FOR RENEWAL OF THE PERMIT AND KEEPING THE PERMIT RENEWED AND IN A VALID STATUS IS MY RESPONSIBILITY.

DISCLAIMERS: INDEMNIFICATION: ACKNOWLEDGMENTS BY PERMITTEE: (initial)

I UNDERSTAND THAT THE INSPECTIONS PROVIDED BY WASHOE COUNTY ARE VERY LIMITED AND DO NOT COVER ALL OF THE WORK PERFORMED UNDER THE AUTHORITY OF THIS PERMIT. THE INSPECTIONS ARE OCCASIONAL SPOT CHECKS, MUCH LIKE AN AUDIT; THEREFORE MANY PARTS OF THE WORK ARE NOT INSPECTED. IF MORE INSPECTION IS DESIRED, A PRIVATE INSPECTOR MUST BE HIRED BY THE PERMITTEE. NEITHER THE INSPECTIONS BY THE COUNTY NOR THE CERTIFICATE OF OCCUPANCY CONSTITUTE A REPRESENTATION BY THE COUNTY THAT THE WORK WAS INSPECTED OR THAT THE WORK COMPLIES WITH COUNTY ORDINANCES.

I HEREBY AGREE TO DEFEND AND TO SAVE, INDEMNIFY AND KEEP HARMLESS THE COUNTY OF WASHOE AND ITS OFFICERS, EMPLOYEES AND AGENTS AGAINST ALL LIABILITIES, JUDGEMENTS, COSTS AND EXPENSES WHICH MAY ACCRUE AGAINST THE COUNTY IN CONSEQUENCE OF GRANTING OF THIS PERMIT OR CERTIFICATE OF OCCUPANCY, IN CONSEQUENCE OF THE COUNTY'S OWN NEGLIGENCE OR ITS OTHERS ACTS OR OMISSIONS WITH RESPECT TO THIS PERMIT OR A CERTIFICATE OF OCCUPANCY, OR IN CONSEQUENCE OF THE USE OR OCCUPANCY OF ANY WORK, SIDEWALK, SUB-SIDEWALK OR STREET, OR OTHERWISE BY VIRTUE THEREOF, AND WILL IN ALL THINGS STRICTLY COMPLY WITH THE CONDITIONS OF THIS PERMIT AND PROVISIONS OF THE RULES, REGULATIONS AND ORDINANCE OF THE COUNTY OF WASHOE.



Permit No. 15-0512

Ira Stoler <ira.erols@gmail.com>

**WC Code for Private Communication Antennas**

1 message

**Sannazzaro, Grace** <GSannazzaro@washoecounty.us>  
To: "ira@stoler.us" <ira@stoler.us>

Mon, Sep 15, 2014 at 10:33 AM

WASHOE COUNTY BUILDING DEPT.  
**OFFICE COPY**

Ira,

Pursuant to our telephone conversation this morning, I am sending you this email at your request to advise of allowances and limitations for placement of two ham radio antennas you are proposing on the property (APN: 142-260-18) adjacent to the west of 1700 Taos Lane (APN: 142-260-17). This is considered as a private communication antenna.

**Washoe County Development Code Section 110.324.20 allows:**

Height: The **retractable height** of the antenna may be the height limit allowed for a main structure in the subject regulatory zone, which is 35 feet for LDS zoning, plus 10 additional feet.

Location: Private communication antennas are allowed within any side or rear yard. There is no structure on the subject parcel of 142-260-18, and the antennas are proposed to the side and rear of the existing house on the adjacent parcel to the east at 1700 Taos Lane.

Setback: The entire antenna array must meet the required setbacks for LDS zoning.

Building Permit: Required

Sincerely,

**Grace Sannazzaro, Planner**

Washoe County Community Services Department

Planning & Development Division

Email: gsannazzaro@washoecounty.us

Phone: (775) 328-3771

WASHOE COUNTY BUILDING DEPT.  
**OFFICE COPY**



1001 E. NINTH STREET  
 POST OFFICE BOX 11130  
 RENO, NV 89520-0027  
 (775) 328-2020  
 FAX (775) 328-6132

# WASHOE COUNTY

"Dedicated to Excellence in Public Service"

DEPARTMENT OF  
 BUILDING AND SAFETY

**BUILDING PERMIT**  
 INSPECTION LINE (775) 325-8000



865 TAHOE BLVD., NO. 307  
 INCLINE VILLAGE, NV 89451  
 (775) 832-4140  
 FAX (775) 832-4164

Address: 4284 ROSS DR WCTY  
 Location:  
 Parcel No: 009-095-11

Permit No: **04-1828**  
 Type: BLD-RES  
 Category: RSAD

Applied: 05/12/2004  
 Issued: 09/13/2004  
 Status: ISSUED  
 Expire: 03/15/2006  
 Renewed:

Zoning: LDS

Area: N  
 Sewer:  
 Water:

Occupancy:  
 Census: 329  
 # Units: 1  
 # Bldgs: 1

Use Code:  
 Variance No:  
 Special Use No:  
 Major Project:

OWNER SANDE CRAIG  
 4440 MOUNTAINGATE DR  
 RENO NEVADA

Phone: 741-7430

89509

CONTRACTOR

Phone:

License:

CONTACT SANDE CRAIG  
 4440 MOUNTAINGATE DR  
 RENO NEVADA

Phone: 741-7430

89509

Permit Description:

PRIVATE COMMUNICATION ANTENNA

VALUATION: \$10,000.00

Occupancy	Type	Factor	Sq Feet	Valuation
Totals...				\$10,000.00*

<b>FEES:</b>	Building Fee:	\$168.48	Plan Check Fee:	\$422.12	<b>TOTAL FEES:</b>	\$590.60
	Electrical Fee:	\$0.00	Park Tax Fee:	\$0.00	Payments:	\$590.60
	Plumbing Fee:	\$0.00	Violation Fee:	\$0.00	<b>BALANCE DUE:</b>	\$0.00
	Mechanical Fee:	\$0.00	Renewal Fee:	\$0.00	<b>VALIDATED BY:</b>	BF
	Reinspections:	\$0.00	Road Impact Fee:	\$0.00	<b>ISSUED BY:</b>	SR

Signature:

Permission is hereby granted to do the work for the building described in this application, in accordance with the Rules, Regulations and Ordinances of the County of Washoe, along with the plans and specifications filed herewith.

**DISCLAIMERS: INDEMNIFICATION; ACKNOWLEDGMENT BY PERMITTEE**

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I HEREBY AGREE TO DEFEND AND TO SAVE, INDEMNIFY AND KEEP HARMLESS THE COUNTY OF WASHOE AND ITS OFFICERS, EMPLOYEES AND AGENTS AGAINST ALL LIABILITIES, JUDGEMENTS, COSTS AND EXPENSES WHICH MAY ACCRUE AGAINST THE COUNTY IN CONSEQUENCE OF THE GRANTING OF THIS PERMIT OR A CERTIFICATE OF OCCUPANCY, IN CONSEQUENCE OF THE COUNTY'S OWN NEGLIGENCE OR ITS OTHER ACTS OR OMISSIONS WITH RESPECT TO THIS PERMIT OR A CERTIFICATE OF OCCUPANCY, OR IN CONSEQUENCE OF THE USE OR OCCUPANCY OF ANY SIDEWALK, SUB-SIDEWALK OR STREET, OR OTHERWISE BY VIRTUE THEREOF, AND WILL IN ALL THINGS STRICTLY COMPLY WITH THE CONDITIONS OF THIS PERMIT AND PROVISIONS OF THE RULES, REGULATIONS AND ORDINANCES OF THE COUNTY OF WASHOE.



### INTRODUCTION

This is an application for a building permit to erect and maintain a private non-commercial antenna system for personal use by the Applicant, an individual licensed by the Federal Communications Commission (FCC). The antenna will be located in Washoe County on Parcel 9-095-11.

The Applicant is the holder of an Extra Class amateur radio license, call sign AE7I, and has been licensed by the FCC since 1976 (see Exhibit A). The applicant participates in municipal and regional Amateur Radio Emergency Services (ARES) activities and this antenna system will further the purposes of those organizations.

### DESCRIPTION OF THE PROPOSED SYSTEM

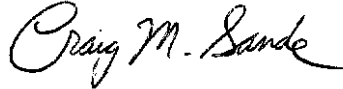
The Applicant proposes to erect a support manufactured by Tashjian Towers Corporation, model DX-70. The structure is a self-supporting crank up support that rests at a height of 24'-6" when not in use and extends to an operating height of 70'-0". The structure has been designed for a wind load of 85 miles per hour, exposure C, as required by the Washoe County Code, Chapter 100, Sections 31 and 32. Two copies of the tower engineering drawings and calculations have been included with this application (see Exhibit B).

The antenna will be located centrally on the property near the rear aspect of the house. A fence encloses the entire side and rear of the property. The site plot plan with antenna location is shown in Exhibit C. I have also included the neighborhood parcel map (Exhibit D), a topographic map of the area (Exhibit E), and an overhead view of the property (Exhibit F).

### CONCLUSIONS

I have met and reviewed the above plans with Sharon Kvas of the Planning Department and reviewed the proposal with members of the Building Department. It is my hope and desire that you find the information meets your requirements. If additional information is desired, please don't hesitate to contact me.

Respectfully Submitted,



Craig M. Sande



1001 E. NINTH STREET  
 POST OFFICE BOX 11130  
 RENO, NV 89520-0027  
 (775) 328-2020  
 FAX (775) 328-6132

# WASHOE COUNTY

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865 TAHOE BLVD., NO. 307  
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 FAX (775) 832-4164

DEPARTMENT OF  
 BUILDING AND SAFETY

**BUILDING PERMIT**  
 INSPECTION LINE (775) 325-8000

Address: **10275 PATHFINDER DR WCTY** Permit No: **04-3872** Applied: **09/09/2004**  
 Location: Type: **BLD-RES** Issued: **10/27/2004**  
 Parcel No: **087-060-08** Category: **RSAD** Status: **ISSUED**  
 Expire: **04/28/2006**  
 Renewed:

**Zoning:**

Area: **N**  
 Sewer:  
 Water:

Occupancy:  
 Census: **329**  
 # Units: **1**  
 # Bldgs: **1**

Use Code:  
 Variance No:  
 Special Use No:  
 Major Project:

**OWNER** **HALLMAN RICHARD P & BRENDA K** Phone: **846-3388**  
**10275 PATHFINDER**  
**RENO NV**  
**89506**

**CONTRACTOR** Phone:

License:

**CONTACT** **HALLMAN RICHARD P & BRENDA K** Phone: **846-3388**  
**10275 PATHFINDER**  
**RENO NV**  
**89506**

Permit Description:  
**3 NEW COMMUNICATION TOWERS APROX 20' TALL**

VALUATION: **\$10,000.00**

Occupancy	Type	Factor	Sq Feet	Valuation
Totals...				\$10,000.00*

<b>FEES:</b>	Building Fee:	\$168.48	Plan Check Fee:	\$84.24	<b>TOTAL FEES:</b>	\$307.72
	Electrical Fee:	\$0.00	Park Tax Fee:	\$0.00	Payments:	\$307.72
	Plumbing Fee:	\$55.00	Violation Fee:	\$0.00	<b>BALANCE DUE:</b>	\$0.00
	Mechanical Fee:	\$0.00	Renewal Fee:	\$0.00	<b>VALIDATED BY:</b>	<b>BF</b>
	Reinspections:	\$0.00	Road Impact Fee:	\$0.00	<b>ISSUED BY:</b>	<b>DJ</b>

Signature: 

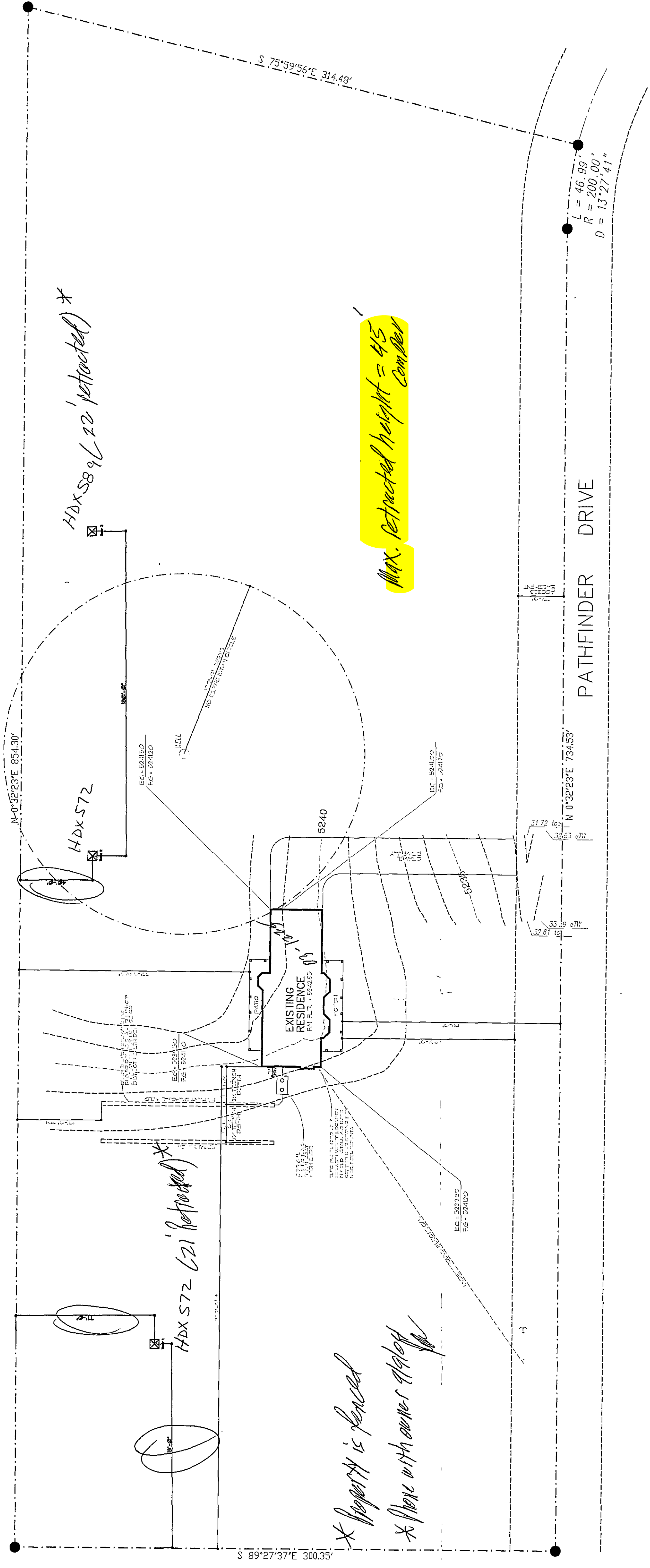
Permission is hereby granted to do the work for the building described in this application, in accordance with the Rules, Regulations and Ordinances of the County of Washoe, along with the plans and specifications filed herewith.

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NORTH

Permit No. 04-3872



# SITE PLAN

10275 PATHFINDER DRIVE  
 NW 1/4 SECTION 13 T. 21 N. R. 18 E., MID. B. 4M.  
 A.P.N. 081 - 060 - 088  
 WASHOE CO., NEVADA

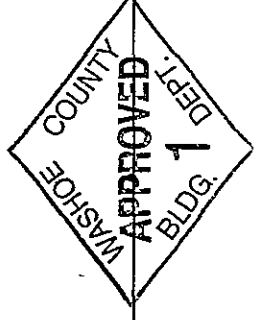
### KEY

- ACCESS EASEMENT
- - - PROPERTY LINE
- EASELINE
- - - EXISTING GRADES
- - - NEW FINISHED GRADES

### NOTE:

DRIVEWAY SHALL NOT EXCEED A MAX. GRADE OF 15%. CONTRACTOR SHALL VERIFY BEFORE THE START OF CONSTRUCTION THE EXISTING GRADES AND CONDITIONS IN FIELD PRIOR TO THE START OF CONSTRUCTION (TYP) : ALL SHEETS CONTRACTOR SHALL VERIFY ALL EXISTING GRADES. ASSOCIATED RESIDENTIAL DESIGN IS NOT RESPONSIBLE FOR VERIFYING UTILITY LOCATIONS, CONNECTIONS, CODES, REQUIREMENTS. CONSTRUCTION SHALL MEET THE CURRENT BUILDING, PLANNING DEPT. UBC REQUIREMENTS. ALL PRE-FAB PRODUCTS SHALL BE INSTALLED AS PER MANUFACTURER'S SPECIFICATIONS (TYP) : ALL SHEETS CONTRACTOR TO INSTALL 4" PVC SLEEVES UNDER DRIVEWAY ALL DIMENSIONS FROM PROPERTY LINE TO HOUSE ARE TO CONTRACTOR TO INSURE A MIN. OF 7% SLOPE AWAY FROM HOUSE TO DRAIN SWALES (TYP) CONTRACTOR TO INSURE A MIN. OF 1% SLOPE AT ALL DRAIN SWALES (TYP)

VERIFY ALL ELEVATIONS IN FIELD (TYP)	
DECIMALS SHOWN ARE IN DECIMALS OF A FOOT (TYP)	
HIGHEST PEAK OF RIDGE	524.70
TOP OF 3/4" T. C. FLYWOOD 5' HANFAN FLOOR	5242.05
TOP OF 3/4" T. C. FLYWOOD 5' UPPER FIN FLOOR	5242.5
TOP OF 3/4" T. C. FLYWOOD 2' BONUS FIN FLOOR	5243.5
TOP OF 4" CONC. SLAB 2' REAR OF GARAGE	5244.0
TOP OF 4" CONC. SLAB 2' ALL GARAGE DOORS	5244.3



WASHOE COUNTY BUILDING DEPT.  
 OFFICE COPY

REVISIONS	BY

RESIDENCE FOR MR. & MRS. HALMANN  
 10275 PATHFINDER DRIVE  
 WASHOE CO., NEVADA  
 A.P.N. 081 - 060 - 088  
 NW 1/4 SECTION 13 T. 21 N. R. 18 E., MID. B. 4M.  
 WASHOE CO., NEVADA  
 ALL CONSTRUCTION SHALL CONFORM TO THE CURRENT ADOPTED U.B.C., U.P.C., U.M.C. N.E.C. AND LOCAL BUILDING CODE REQUIREMENTS (TYPICAL ALL SHEETS)